

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FRANI FEIT, INDIVIDUALLY AND AS :
ASSIGNEE OF IRWIN J. FEIT, :

Plaintiff, :

v. :

GREAT-WEST LIFE AND ANNUITY :
INSURANCE COMPANY, A Colorado :
Corporation :

Defendants. :

Hon. Harold A. Ackerman

Civil Action No. 03-2948 (HAA)

OPINION AND ORDER

Michael J. Epstein, Esq.
Epstein Beirne, P.A.
340 West Passaic Street
Rochelle Park, New Jersey 07662
Attorneys for Plaintiff

Michael J. Zaretsky, Esq.
Chorpenning, Good, Carlet & Garrison, Esqs.
1135 Clifton Ave.
Clifton, NJ 07015
Attorneys for Defendant

It is hereby ORDERED that a jury trial on damages shall be held in this matter on
October 10, 2006, at 10:00 a.m.

It is further hereby ORDERED that not later than **September 7th, 2006**:

- I. Each party shall submit to the Court and to opposing counsel a trial brief or memorandum in accordance with Local Civil Rule 7.2(b), with citations to authorities and arguments in support of its positions on all disputed

issues of law. The brief shall also address any anticipated evidence dispute. In the event a brief is not submitted, the delinquent party's pleading may be stricken.

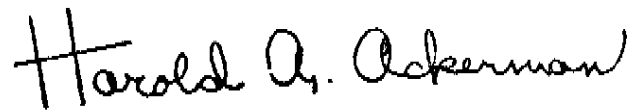
2. Any hypothetical questions to be put to an expert witness on direct examination shall be submitted to the Court and to opposing counsel.
3. Each party shall submit to the Court and to opposing counsel proposed voir dire, if any.
4. Counsel for plaintiff shall submit proposed jury instructions to opposing counsel. Each proposed jury instruction shall include citations to authorities, if any. The instructions shall be sequentially numbered, and space shall be left after each instruction for defendant's counsel to insert any objection to each particular instruction, and/or to offer any proposed counter-instruction. The proposed jury instructions shall be transmitted to defendant's counsel in hard copy format and in an electronic medium (e.g., as a computer file attached to an email, or on a compact disk) so that counsel for defense may duplicate the document and insert any objections or counter-instructions as described below.

Not later than **September 14, 2006**, Defendant's counsel shall submit to the Court and Plaintiff's counsel a copy of Plaintiff's proposed jury instructions, modified to include Defendant's objections and/or proposed counter-instructions to each of Plaintiff's proposed jury instructions. This means that if Defendant has any objection to one of Plaintiff's proposed jury

instructions, Defendant's counsel shall insert into the Plaintiff's jury instruction document any such objection and/or any proposed counter-instruction immediately following the particular proposed jury instruction to which such objection and/or counter-instruction relates. The resulting document containing the Plaintiff's proposed jury instructions, combined with Defendant's objections thereto and counter-instructions, shall be submitted to the Court in hard copy as well as in an electronic format (either by email attachment or on a compact disk), for the Court's convenience in preparing final jury instructions.

Please note that there will not be any extensions of the foregoing deadlines.

Dated: June 27, 2006
Newark, New Jersey

A handwritten signature in black ink that reads "Harold A. Ackerman". The signature is written in a cursive, flowing style.

Harold A. Ackerman, U.S.D.J.